FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

Civil Application No. 2916/2007
in
First Appeal No. 130/1993 (Decided)

Appeal	District :
Application No.	of 200
Writ petition	

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM : Smt. V. A. Naik, J.
DATED : April 24, 2007.

By this civil application, the applicant/ appellant seeks permission to withdraw the statutory deposit of Rs. 12,500/- deposited by the appellant in this Court.

The appeal filed by the appellant/ Insurance Company was withdrawn as the appeal was not maintainable against the order under Section 140 of the Motor Vehicles Act. Since the appellant was permitted to withdraw the appeal, the appellant seeks permission to withdraw the statutory deposit of Rs. 12,500/-.

It would not be in the interest of justice to permit the appellant to withdraw the statutory deposit of Rs. 12,500/- as on the withdrawal of the first appeal, the order passed by the Motor Accident Claims Tribunal granting compensation to the claimants towards no fault liability, would stand. It

would, therefore, be necessary in the interest of justice to direct the Registry to remit the amount of Rs. 12,500/- to the Motor Accident Claims Tribunal, Bhandara, so that the M.A.C.T. can pass a necessary order regarding withdrawal of the said amount.

The Registry is, therefore, directed to remit the amount of Rs. 12,500/- to the M.A.C.T., Bhandara, immediately.

Civil application is disposed of on the aforesaid terms.

JUDGE

RMP